

REMARKS/ARGUMENTS

Claims 7-11, 18-20 and 24 stand allowed.

Claims 2-3, 6, 13-14, 17 and 22-23 are considered to contained allowable subject matter.

CLAIM REJECTIONS

The Office appears¹ to have rejected Claims 1, 4, 12, 15 and 21 as being anticipated by Asami.

The Office incorrectly states the inverter (12) meets the limitation of a voltage divider module.

The Office has failed to apply the limitations associated with the voltage divider module as recited in the claim. Claim 1 recites *inter alia*:

“a voltage divider module having a CMOS inverter for receiving the difference signal and generating an indication voltage which varies based on a change of time difference between the first and second inputs.” (Emphasis added)

¹ The Applicant uses “appears” since, the Office Action summary, the rejections, the rejection bodies and indication of allowable subject matter contradicted each other. For example the Office Action summary states that Claims 5, 12, 14-16 and 21 are rejected, whereas the rejections purport to reject Claims 1, 3, 12 and 14 but in the body of the rejection only Claims 1, 4, 12, 15 and 21 are discussed, and Claims 2-3, 6, 13-14, 17 and 22-23 are indicated to have allowable subject matter. (if the above assumption is incorrect, a new Office Action should be issued clarifying which claims are rejected)

The inverter (12) is not a voltage divider. The output of inverter (12) does in no manner vary based on change of time difference between the first and second inputs as recited in the claim and described in the specification. The inverter (12) simply inverts the output of the NOR gate (11), its voltage is either high or low and does not vary with respect to changing clock offsets.

Furthermore, nowhere in Asami is it disclosed that the inverter is a CMOS inverter. Therefore, the inverter (12) of Asami cannot meet the limitations of Claim 1, or similarly Independent Claims 12 and 21 which similarly recite the limitation.

Additionally, as Claims 4 and 15 depend from Claims 1 and 12 respectively, Asami cannot meet the limitations of Claims 4 and 15, irrespective of the additional patentable subject matter recited therein.

The rejection of Claims 1, 4, 12, 15 and 21 as being anticipated by Asami is improper and should be withdrawn.

The Office also incorrectly rejected Claims 1 and 12 as being anticipated by Kim.

Similarly to the rejection using Asami, the Office uses the inverter in the lock detecting circuit 20 to meet the limitation of a voltage divider module. Kim states "The lock detecting circuit 20 includes a NOR gate NOR for NORing the UP signal and the

down signal DN from the phase frequency detector10, and an inverter INV for inverting the output of the NOR gate NOR.” Col. 3, ll. 17-20.

There is no indication what so ever that the output voltage varies based on a change in time difference between the first and second clock. As with Asami, the inverter INV of KIM outputs high or low and does not vary its voltage based on changing synchronization offsets. Also there is not indication in Kim that the inverter INV includes a CMOS inverter.

Kim’s inverter cannot meet the limitation of a voltage divider module as recited in Claims 1 and 12 and thus cannot anticipate these claims.

The Applicant requests withdrawal of this improper rejection and allowance of the Claims.

CONCLUSION

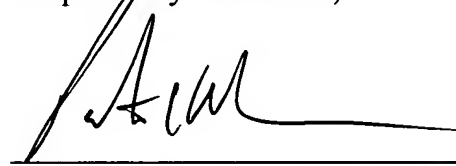
Neither the inverter of Asami nor Kim meet the limitations of a voltage divider module as recited in the claims and therefore the anticipation rejections based on these references are improper and must be withdrawn.

The Applicant submits that all of the Claims 1-24 are now in condition for allowance and as such requests an early indication of such.

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Amendment dated 29 November 2005
Reply to Office Action mailed: August 24, 2005

The Office is hereby authorized to charge any appropriate extension fee to Deposit
Account No. 04-1679, Duane Morris LLP.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Muldoon', is written over a horizontal line.

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